REMARKS/ARGUMENTS

Reconsideration of the rejection under 35 U.S.C. §112 is requested insofar as it is based on vagueness of the term "high molecular weight," as used with reference to the elastic section. The term is in common use in the field of papermaking belt manufacture, and appears in the claims of numerous patents, for example, 6,440,274, 6,331,231 and 6,325,897, copies of which are also attached.

Claims 3 and 4 have been cancelled, and therefore there is no longer an issue concerning the term "official moisture regain."

Claim 2 has been amended to address the rejection in paragraph 3.

A terminal disclaimer is submitted herewith to address the provisional, obviousness-type, double patenting rejections in paragraphs 6 and 7. This is a single terminal disclaimer referring to multiple cited patents, as authorized by MPEP 804.02 IV.

Claim 1 has been amended to make it clear that the fiber body need not be hydrophilic in its entirety.

The rejection under 35 USC §103 is based on the proposition that it would have been obvious to have applied a hydrophilic coating to the surface of the belt in JP 89990/2001, since Westerkamp teaches that the hydrophilic, hydrophobic, anti-static or stain-releasing properties can be imparted to the surface of a fiber layer of a paper machine wire by physical or chemical surface treatment, such as by depositing suitable chemical agents. Motivation to apply the

teachings of Westerkamp is based upon Westerkamp's assertion (in paragraph 0029) that, "it is apparent that the surface charge potentials of the fiber layer are to be harmonized with those of the fiber suspension."

The thrust of the description in Westerkamp's paragraph 0029 is that a hydrophilic, hydrophobic, anti-static or stain-releasing character is imparted to the entire surface 21 of the fiber layer 20. Moreover, as seen in Westerkamp's drawings, surface 21 is continuous. Thus, there is no suggestion that the surface treatment can be applied in such a way that the surface is other than uniform insofar as its hydrophilic or hydrophobic character is concerned.

JP 89990/2001, on the other hand, expressly teaches that either the fiber body or the elastic section comprises a hydrophobic material that breaks up the water film. As pointed out in part 0018 of the translation of JP 89990/2001, "either said wet paper web installation side 2b or surface outcrop 3' is formed for a hydrophobic material, and the part which keeps away water, and the part which condenses water are prepared in the shape of distribution. . . ." JP 89990/2001 is therefore directed to a wet paper web conveyance belt that depends on the non-uniformity of its surface for proper operation.

Applying the teachings of Westerkamp to the belt of JP 89990/2001 would make the surface of the belt uniform insofar as its hydrophobic or hydrophilic character is concerned, and render the material of JP 89990/2001 unsuitable for its stated purpose. Such a modification cannot be considered to have been obvious under §103.

In addition to the foregoing, since the question may arise as to whether or not the claimed invention is patentable over JP 89990/2001 considered by itself, it should be observed that JP 89990/2001 does not relate to hydrophilicity at all. In the automated translation, at page 3, lines 6 and 7, reference is made to a "side of hydrophobicity" and to a "side of non-hydrophobicity." However, non-hydrophobicity is not the same thing as hydrophilicity. As observed above, in JP 89990/2001, so long as the surface has hydrophobic areas, water will be repelled from these hydrophobic areas and condense in other areas on the surface of the belt. It is unnecessary that the other areas be hydrophilic, and nothing in JP 89990/2001 implies that there are hydrophilic areas.

The U.S. patent that corresponds to JP 89990/2001 is Patent 6,319,365. There, the term "side of non-hydrophobicity" was translated as "hydrophilic side," at col. 3, line 13, and again at column 12, line 26. This is a mistranslation of the Japanese text. Moreover, nowhere in Patent 6,319,365 is there a description stating that a portion of the belt should have a hydrophilic character. A person skilled in the art, therefore, reading the U.S. patent, would realize that hydrophilicity is unnecessary to the proper operation of the belt in Patent 6,319,365, and would recognize that the term "hydrophilic" was used loosely as a convenient way to say "non-hydrophibic." A person reading Patent 6,319,365 with the level of understanding of one skilled in the art of papermaking belt design would not infer that the term signifies a property by which a fiber body attracts and/or holds water, which is the definition of "hydrophilic"

and "hydrophilicity" set forth in paragraph 0025 of the Applicant's specification.

Favorable reconsideration and allowance of this application are respectfully requested for the reasons given above.

Respectfully submitted,
HOWSON & HOWSON

By _____
George A. Smith, Jr.
Reg. No. 24,442
Howson & Howson
Box 457
Spring House, PA 19477
Telephone: 215 540 9200
Facsimile: 215 540 5818

Enclosures:

1. copies of 6,440,274, 6,331,231 and 6,325,897
2. terminal disclaimer
3. request for extension
4. check for disclaimer and extension fees
5. Form PTO/SB/96